



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/560,245

01/04/2006

Pierre Jeuch

Q91986

4991

23373 7590 09/12/2008
SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
SUITE 800
WASHINGTON, DC 20037

EXAMINER

ROBINSON, DANIEL LEON

ART UNIT

PAPER NUMBER

3742

MAIL DATE

DELIVERY MODE

09/12/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/560,245	Applicant(s) JEUCH, PIERRE	
	Examiner DANIEL L. ROBINSON	Art Unit 3742	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12-12-2005</u> . | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4, 13 and 15 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by GB 2298376 A.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over GB 2298376 A in view of Coffey et al.(U.S.Pat.3,785,931). GB 2298376A discloses an improvement relating to extraction apparatus that shows many of the features of the claimed invention but fails to explicitly show a porous support. Coffey discloses a self cleaning tubular solar still that explicitly shows an evaporator with a condenser that shows an evaporator condenser combination whereby a porous evaporator is heated by sunlight and water is condenses on an inner surface of a condenser. It would have been obvious to one of ordinary skill in the art at the time of the claimed invention to use a evaporator condenser combination as taught by Coffey with the device of GB2298376 so as to purify water.

Art Unit: 3742

Claims 7, 8, 11 and 12, are rejected under 35 U.S.C. 103(a) as being unpatentable over GB2298376A in view of Coffey as applied to claims 1-4, 13 and 15 above, and further in view of Yamada et al.(U.S.Pat.4,458,748). Gb2298376A in view of Coffey does not explicitly show an aluminum metal grid support favorable to water. Yamada discloses a plate type evaporator that shows using an aluminum grid. It would have been obvious to one of ordinary skill in the art at the time of the claimed invention to use the evaporator of Yamada with the device of GB2298376 so as to provide metal flakes with good conductivity.

Claims 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over GB2298376A in view of Coffey as applied to claims 1-4, 13 and 15 above, and further in view of Hara (US2004/0075181).GB2298376A in view of Coffey does not explicitly show a sintered metal evaporator support. Hara discloses a thermal transport apparatus and method for manufacture that shows a sintered metal evaporator with perforations. It would have been obvious to one of ordinary skill in the art at the time of the claimed invention to use the evaporator as taught by Hara with the device of GB2298376A in view of Coffey so as to provide porous and capillary action.

Claims 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over GB2298376A in view of Cahill-O'Brien(U.S.Pat.5,457,963). GB2298376A does not explicitly show a fan and a pressure relief valve as claimed. Cahill'O'Brien discloses a controlled atmosphere system for a refrigerated container which shows using a fan and

Art Unit: 3742

a pressure relief valve. It would have been obvious to one of ordinary skill in the art at the time of the claimed invention to use a fan to circulate air and a pressure relief valve to reduce pressure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL L. ROBINSON whose telephone number is (571)272-4788. The examiner can normally be reached on m-f 5:30-2:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tu B Hoang can be reached on 571-272-4780. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

dlr/Daniel L Robinson/
Primary Examiner, Art Unit 3742

Application/Control Number: 10/560,245
Art Unit: 3742

Page 5